

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 456**

**House Bill No. 43\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 6, is amended by adding the following as a new section:

(a) A law enforcement officer shall not enter private property for the purpose of engaging in electronic surveillance or installing electronic surveillance equipment to search for and collect evidence or obtain information or other data unless:

(1) The officer has obtained a search warrant signed by a judge authorizing the electronic surveillance or installation and use of electronic surveillance equipment;

(2) A judicially recognized exception to the warrant requirement exists at the time of the electronic surveillance; or

(3) The officer has obtained consent from the landowner or the lessee of the property and the consent was obtained within the three hundred sixty-four (364) days immediately preceding the date of the law enforcement officer's entry onto the property.

(b) Evidence obtained in violation of this section must not be used by this state in a court of law or administrative board as evidence, nor may other evidence that is derived from the illegally obtained data be used as evidence in such proceeding.

(c) This section does not limit the admissibility or gathering of evidence obtained from:

(1) Privately controlled monitoring devices; or



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(2) Equipment worn by law enforcement officers or installed on law enforcement motor vehicles.

(d) As used in this section, "law enforcement officer" means an officer employed by a lawfully established state or local public agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of penal, traffic, regulatory, game, or controlled substance laws.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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| <b>FILED</b>      |
| Date _____        |
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| Clerk _____       |
| Comm. Amdt. _____ |

**AMEND**

**House Joint Resolution No. 140\***

by deleting the amendatory language in the first resolving clause and substituting:

The General Assembly shall make no law to authorize rape, human trafficking, prostitution, or the recreational use of any substance that has been included on the schedules issued by the United States Department of Justice and the United States Drug Enforcement Agency pursuant to the federal Controlled Substances Act as such existed on January 1, 2020.



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